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PATENT

Atty, Docket No. 389175

Express Mail Label No. EL830786582US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Charles A. Jennings

Serial No.: 09/766,519

Filed: January 19, 2001

For: System and Method for Streaming Media

Group No.: 2152

Examiner: Not Yet Assigned

Box Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

AMENDMENT TRANSMITTAL

Attached please find the following:

1. Check for \$445.00 for the extension fee
2. Certificate of Mailing
3. Petition for Extension of Time
4. Copy of Notice of Incomplete Reply
5. Preliminary Amendment

CERTIFICATE UNDER 37 C.F.R. § 1.8 and § 1.10

I hereby certify that, on the date shown below, this correspondence is being

- ☒ deposited with the United States Postal Service in an envelope addressed to Box Fee Amendment, Commissioner for Patents, Washington, D.C. 20231 with sufficient postage:

MAILING

- 37 C.F.R. § 1.8**
☐ as first class mail.

- 37 C.F.R. § 1.10**
☒ as "Express Mail Post Office to Addressee"
Express Mail Label No. EL830786582US.

FACSIMILE TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Wendy Precht
Name of Depositor

Signature

Date

8/30/01

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PATENT

Atty. Docket No. 389175


Express Mail Label No. EL830786582US

6. Return Post Card

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 12-0600. A duplicate copy of this Transmittal is attached for this purpose.

Respectfully submitted,

LATHROP & GAGE, L.C.

By 

James M. Stipek, Reg. No. 39,388

2345 Grand Boulevard, Suite 2800

Kansas City, Missouri 64108

Tel: (816) 460-5848

Fax: (816) 292-2001

#5



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/766,519	01/19/2001	Charles A. Jennings	389175

CONFIRMATION NO. 9767

FORMALITIES LETTER



OC00000006280379

Attn: James M. Stipek, Esq.
Lathrop & Gage L.C.
Suite 2800
2345 Grand Boulevard
Kansas City, MO 64108

Date Mailed: 07/11/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain **EXTENSIONS OF TIME** under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent **ABANDONMENT** of the above-identified application.

- Figure(s) 7,8 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any

omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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PATENT
Atty. Docket No. 389175
Express Mail Label No.: EL830786582US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Charles A. Jennings	Group No.:	2152
Serial No.	09/766,519	Examiner:	Not Yet Assigned
Filed:	January 19, 2001		
For:	System and Method for Streaming Media		

Box Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

PETITION FOR EXTENSION OF TIME

Applicant hereby petitions under 37 CFR 1.136(a) for a three month extension of time in which to reply to the outstanding Office Action carrying a response due date of June 4, 2001. Pursuant to 37 CFR 1.17, a check in the amount of \$445.00 is enclosed herewith.

In the event that the foregoing request or fee calculations are incorrect, this Petition should be construed as one for sufficient time to permit timely filing of the present reply. Any

CERTIFICATE UNDER 37 C.F.R. § 1.8 and § 1.10

I hereby certify that, on the date shown below, this correspondence is being

- ☒ deposited with the United States Postal Service in an envelope addressed to Box Fee Amendment, Commissioner for Patents, Washington, D.C. 20231 with sufficient postage:

37 C.F.R. § 1.8
☐ as first class mail.

MAILING

- 37 C.F.R. § 1.10**
☒ as "Express Mail Post Office to Address" as
EXPRESS MAIL NO. EL830786582US

FACSIMILE TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Wendy Precht
Name of Depositor

Signature

Date

8/30/01

09/05/2001 MAHMEI 00000008 09766519 445.00 0P 01 FC:217

PATENT

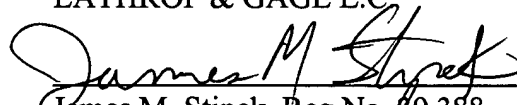
Atty. Docket No. 389175

Express Mail Label No.: EL830786582US

additional fee which might be due in connection with this petition should be applied against our
Deposit Account No. 12-0600.

Respectfully submitted,

LATHROP & GAGE L.C.

A handwritten signature in cursive script, appearing to read "James M. Stipek", written over a horizontal line.

James M. Stipek, Reg.No. 59,388
2345 Grand Boulevard, Suite 2800
Kansas City, Missouri 64108
Tel: (816) 460-5849
Fax: (816) 292-2001

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Jennings, Charles A.

Serial No.	Filing Date	Examiner	Matter No.
09/766,519	19 January 2001	Not Yet Assigned	389175

Title: System and Method For Streaming Media

I hereby certify that this Check in the amount of \$445.00 for the extension fee; Certificate of Mailing By Express Mail (1 page); Amendment Transmittal (2 pages, in duplicate); Petition for Extension of Time (2 pages); copy of Notice of Incomplete Reply (2 pages); Preliminary Amendment (11 pages); authorization to charge additional fees that may be required, or credit any overpayment, to Deposit Account No. 12-0600; and prepaid postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Box Fee Amendment, Commissioner for Patents, Washington, D.C. 20231, on this 30th day of August, 2001.

Wendy Precht

Name of Depositor

Signature of Depositor

EL830786582US

Express Mail Label No.